

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service in first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:
 Date: 6-2-2005 Name: Richard G. Lione, Reg. No. 19,795 Signature: Richard G. Lione

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Keita Nishino et al.

Appln. No.: 10/533,868

BRINKS
HOFER
GILSON
& LIONE

Examiner: Not Assigned

Art Unit: Not Assigned

Filed: May 5, 2005

For: NOVEL INTERMEDIATE FOR
CARBAPENEM COMPOUND FOR ORAL
ADMINISTRATION AND PROCESS FOR
PRODUCING THE SAME

Attorney Docket No: 5404/102

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Transmittal (in Duplicate); First Supplemental Information Disclosure Statement; Form PTO-1449; and a Copy of Each Listed Reference for Which a Copy is Required.
☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
☐ Small Entity.
☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(____).
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
Total					\$			Total \$	

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Richard G. Lione
Richard G. Lione (Reg. No. 19,795)

June 2, 2005
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Keita Nishino et al.

Appln. No.: 10/533,868

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FOR ORAL ADMINISTRATION
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**FIRST SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicants hereby cite the following reference(s):

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY
EP 0 188 816 A1	07/30/1986	EPO
JP 62-103084 A	05/13/1987	Japan
WO 2004/035539 A1	04/29/2004	WIPO

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). Applicants respectfully request the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicants have calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

June 2, 2005
Date

Richard G. Lione
Richard G. Lione (Reg. No. 19,795)